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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

TADASHI KURA KOJIMA,

Defendants.

Case No. 1:23-cr-00006 HCN

FIRST NOTICE OF COMPLIANCE AND  
REQUEST FOR RECIPROCAL  
DISCOVERY

Judge Howard C. Nielson, Jr.

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The United States of America, by and through the undersigned, hereby files its first notice of compliance with its discovery obligations in this case and request for reciprocal discovery from the defendant.

The United States gives notice that the following is being or has been provided to counsel for the defendant:

**DISCOVERY UNDER PROTECTIVE ORDER**

Audio Video	Description	Beginning Bates	Ending Bates
CJC	01-03-2023 interview	AV-CJC-01-00001	AV-CJC-01-00001
CJC	12-09-2023 interview	AV-CJC-02-00001	AV-CJC-02-00001
Hall County Corrections	Jail calls	AV-HCC-01-00001	AV-HCC-01-00008
Layton PD	Dash cams	AV-LPD-01-00001	AV-LPD-01-00021
Layton PD	Interview of Minor A father	AV-LPD-02-00001	AV-LPD-02-00003

<b>Background</b>	<b>Description</b>	<b>Beginning Bates</b>	<b>Ending Bates</b>
Background	Aaron Zeman	BG-AZ-01-00001	BG-AZ-01-00004.05
Background	Tadashi Kojima	BG-TK-01-00001	BG-TK-01-00004.02
<b>Business Records</b>			
Charter Communications	Subpoena response	BR-CC-01-00001	BR-CC-01-00003.03
T-Mobile	Subpoena response	BR-TMO-01-00001	BR-TMO-01-00001.04
Twitter	Subpoena response	BR-TWT-01-00001	BR-TWT-01-00001.05
Twitter	Subpoena response	BR-TWT-02-00001	BR-TWT-02-00006
Twitter	Subpoena response	BR-TWT-03-00001	BR-TWT-03-00018
Twitter	Subpoena response	BR-TWT-04-00001	BR-TWT-04-00031
Twitter	Subpoena response	BR-TWT-05-00001	BR-TWT-05-00031
Twitter	Subpoena response	BR-TWT-06-00001	BR-TWT-06-00031
Twitter	Subpoena response	BR-TWT-07-00001	BR-TWT-07-00006
Twitter	Subpoena response	BR-TWT-09-00001	BR-TWT-09-00031
Twitter	Subpoena response	BR-TWT-10-00001	BR-TWT-10-00021
Twitter	Subpoena response	BR-TWT-10-00003	BR-TWT-10-00003
TextNow	Subpoena response	BR-TXT-01-00001	BR-TXT-01-00004
<b>Other Records</b>			
Other	Cash spreadsheet	OTH-01-00001	OTH-01-00001.02
<b>Photos</b>			
Grand Island PD	ERT Photos	PH-GIPD-01-00001	PH-GIPD-01-00198
Twitter	Screen captures	PH-TWT-01-00001	PH-TWT-01-00022
<b>Investigative Reports</b>			
Amber Alert	NCIC	RPT-AA-01-00001	RPT-AA-01-00006
CART	Bountiful PD	RPT-CART-BPD-01-00001	RPT-CART-BPD-01-00001.05
CART	Centerville PD	RPT-CART-CPD-01-00001	RPT-CART-CPD-01-00005.09
CART	Davis Co Sheriff	RPT-CART-DCS-01-00001	RPT-CART-DCS-01-00002.09
CART	Farmington PD	RPT-CART-FPD-01-00001	RPT-CART-FPD-01-00001.04
CART	Kaysville PD	RPT-CART-KPD-01-00001	RPT-CART-KPD-01-00001.10
CART	Layton PD	RPT-CART-LPD-01-00001	RPT-CART-LPD-01-00002.17
CART	Syracuse City PD	RPT-CART-SCPD-01-00001	RPT-CART-SCPD-01-00001.05

<b>Investigative Reports (cont.)</b>	<b>Description</b>	<b>Beginning Bates</b>	<b>Ending Bates</b>
CART	Salt Lake DA	RPT-CART-SLDA-01-00001	RPT-CART-SLDA-01-00001.04
CART	Utah AG	RPT-CART-UAG-01-00001	RPT-CART-UAG-01-00001.11
FBI	Omaha Grand Island RA	RPT-FBI-NE-01-00001	RPT-FBI-NE-01-00023.02
FBI	Salt Lake City - Review	RPT-FBI-UT-01-00001	RPT-FBI-UT-01-00004.02
FBI	Salt Lake City - Consent to search	RPT-FBI-UT-02-00001	RPT-FBI-UT-02-00001
FBI	Salt Lake City - Book from Amazon	RPT-FBI-UT-03-00001	RPT-FBI-UT-03-00045
Grand Island PD	#L22121772	RPT-GIPD-01-00001	RPT-GIPD-01-00001.19
HCSO	#L23070086	RPT-HCSO-01-00001	RPT-HCSO-01-00002.09
LPD	22-31124 & 22-33553	RPT-LPD-01-00001	RPT-LPD-01-00002.40
LPD	Consent to search	RPT-LPD-02-00001	RPT-LPD-02-00001

### **DISCOVERY UNDER PROTECTIVE ORDER**

Pursuant to Rule 12(b)(4)(A) of the Federal Rules of Criminal Procedure, the United States notified the defense that at trial, the United States may seek to use all physical evidence, statements made by the defendant and others, police reports, phone records, electronic evidence (including body camera footage), documents, and photographs obtained during the investigation. The United States reserves the right to introduce in its case-in-chief all tangible objects, physical, documentary, and electronic evidence, and all other evidence provided, made available, or identified in discovery.

As additional discoverable material becomes available, such material will be provided within a reasonable time. Throughout this case, the United States will provide material discoverable under Rules 16 and 26.2 of the Federal Rules of Criminal Procedure and the Jencks

Act without requiring the defendant to make a specific request for such material. Upon request of the defendant, the United States will permit and facilitate the defendant's own inspection, copying or photographing of those items described/defined in Rule 16(a)(1)(E).

The United States also hereby requests disclosure of evidence by the defendant (also known as reciprocal discovery) pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure and DUCrimR 16-1(c). By providing Rule 16 discovery without requiring a specific request from the defense, the United States invokes a reciprocal obligation on the defendant's under DUCrimR 16-1(c), which states that the defendant must allow the government to inspect and to copy the following, as further defined in Rule 16 of the Federal Rules of Criminal Procedure:

- a. Documents and tangible objects the defendant intends to introduce as evidence at trial;
- b. Reports of examinations and tests the defendants intend to introduce at trial or that were prepared by a witness whom the defendant intends to call at trial; and
- c. A written summary of the testimony of any expert the defendant intends to use a trial under Federal Rules of Evidence 702, 703 and 705.

The United States requests that the defendants provide to the government at a reasonable time before trial, but no later than five working days before trial, copies of the material referenced in this paragraph. Further, the United States requests continuing compliance with the reciprocal discovery following the initial disclosure.

The United States also hereby requests all written and recorded statements by any witnesses other than the defendant whom the defendant intends to call at trial or a hearing covered by the Jencks Act or Rule 26.2 of the Federal Rules of Criminal Procedure.

DATED this 1st day of September, 2023.

TRINA A. HIGGINS  
United States Attorney

/s/Carol A. Dain  
CAROL A. DAIN  
Assistant United States Attorney

## **CERTIFICATE OF SERVICE**

I certify that on the 1st day of September, 2023, the First CERTIFICATE OF COMPLIANCE AND REQUEST FOR RECIPROCAL DISCOVERY was filed electronically to the District Court, and caused to be made available for download from USAfx, to the following:

Spencer W. Rice  
*Attorney for Tadashi Kura Kojima*  
Federal Defenders

/s/Erica Arvizo  
ERICA ARVIZO  
Legal Administrative Specialist